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Enclosure no. 2 to despatch  
no. 5182 dated December 2, 1940,  
from the Embassy at Tokyo.

Translation

Treaty Concerning the Basic Relations Between  
Japan and China

The Imperial Government of Japan and  
The National Government of the Republic of China:

Being desirous that these two countries should respect their inherent characteristics and closely cooperate with each other as good neighbours under their common ideal of establishing a new order in East Asia on an ethical basis, establishing thereby a permanent peace in East Asia, and with this as a nucleus contributing toward the peace of the world in general, and

Desiring for this purpose to establish fundamental principles to regulate the relations between the two countries, have agreed as follows:

Article 1

The Governments of the two countries shall, in order to maintain permanently good neighbourly and amicable relations between the two countries, mutually respect their sovereignty and territories and at the same time take mutually helpful and friendly measures, political, economic, and cultural and otherwise.

The Governments of the two countries agree to eliminate, and to prohibit in the future, such measures and causes as are destructive of the amity between the two countries in politics, diplomacy, education, propaganda and trade and commerce, and other spheres.

Article 2

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The Governments of the two countries shall closely cooperate for cultural harmony, creation and development.

Article 3

The Governments of the two countries agree to engage in joint defense against all destructive operations of communistic nature that jeopardize the peace and welfare of their countries.

The Governments of the two countries shall, in order to accomplish the purpose mentioned in the preceding paragraph, eliminate communistic elements and organizations in their respective territories, and at the same time cooperate closely concerning information and propaganda with reference to the defense against communistic activities.

Japan shall, in order to carry out the defense against communistic activities through collaboration of the two countries, station required forces in specified areas of Mengchiang and of North China for the necessary duration, in accordance with the terms to be agreed upon separately.

Article 4

The Governments of the two countries undertake to cooperate closely for the maintenance of common peace and order until the Japanese forces sent to China complete their evacuation in accordance with the terms as provided for separately.

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The areas for stationing Japanese forces for the period requiring the maintenance of common peace and order and other matters pertaining thereto shall be determined as agreed separately between the two countries.

#### Article 5

The Government of the Republic of China shall recognize that Japan may, in accordance with previous practices or in order to preserve the common interests of the two countries, station for a required duration its naval units and vessels in specified areas within the territory of the Republic of China, in accordance with the terms to be agreed upon separately between the two countries.

#### Article 6

The Governments of the two countries shall effect close economic cooperation between the two countries in conformance with the spirit of complementing each other and ministering to each other's needs, as well as in accordance with the principles of equality and reciprocity.

With reference to specific resources in North China and Mengchiang, especially mineral resources required for national defense, the Government of the Republic of China undertake that they shall be developed through close cooperation of the two countries. With reference to the development of specific resources in other areas which are required for national defense, the Government of the Republic of China shall afford necessary facilities to Japan and Japanese subjects.

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With regard to the utilization of the resources referred to in the preceding paragraph, while considering the requirements of China, the Government of the Republic of China, shall afford positive and full facilities to Japan and Japanese subjects.

The Governments of the two countries shall take all the necessary measures to promote trade in general and to facilitate and rationalize the demand and supply of goods between the two countries. The Governments of the two countries shall extend specially close cooperation with respect to the promotion of trade and commerce in the lower basin of the Yangtze River and the rationalization of the demand and supply of goods between Japan on the one hand and North China and Mengchiang on the other.

The Government of Japan shall, with respect to the rehabilitation and development of industries, finance, transportation and communication in China, extend necessary assistance and cooperation to China through consultation between the two countries.

#### Article 7

According to the development of the new relations between Japan and China under the present Treaty, the Government of Japan shall abolish extraterritorial rights possessed by Japan in China and render to the latter its concessions; and the Government of China shall open its territory for domicile and business of Japanese subjects.

#### Article 8

Article 8

The Governments of the two countries shall conclude separate agreements regarding specific items which are necessary to accomplish the object of the present treaty.

Article 9

The present Treaty shall come into effect from the date of its signature.

In witness whereof the undersigned, duly authorized by their respective Governments, have signed the present Treaty and have affixed thereto their seals.

Done in duplicate, in the Japanese and Chinese languages, at Nanking the 30th day of the 11th month of the 15th year of Syowa, corresponding to the 30th day of the 11th month of the 29th year of the Republic of China.